Secy. H.-39—100,000—21-5-48

HOME (1945) Department

MS. SERIES.

G.O. No. 4841

Dated 6th December, 1947.

[Despatch Abstract.]

CRIMINAL JUSTICE - Capital Punishment - Abolition of - L.A.Q. - Papers Recorded.

LEGISLATIVE COUNCIL QUESTION No.63 (UNSTARRED)

Sri R. Suryanarayana Rao, M.L.C.

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Will the Hon'ble the Premier be pleased to state whether the Government have arrived at any conclusion regarding the abolition of capital punishment?

Home Department

ANSWER

The Government have considered and dropped the question of abolishing capital punishment.

Sd. x x x
For Secretary to Government.

To the Secretary, Madras Legislature,
(Council section).

(The above answer has been approved by the Honible O.P. Ramaswami Reddiar)

Home U.O. No. 58024 D/48-1,
13-7-1948.

/TRUE COPY/

OFFICE ASSISTANT,
Madras Record Office.

RS/23-11-

P.T.O

(26th September, 1947)

ABOLITION OF DEATH PENALTY.

*138 Q:-M.A. MUHAMMAD IBRAHIM SAHIB Bahadur: Will the Hon. the Home Minister be pleased to state:-

(a) whether it is a fact that the Government propose to abolish the death penalty in this Presidency? and

(b) if so, whether the Goverament propose to make an exception in regard to cases of grave political crimes during the unsettled condition of the transitional period?

The Hon.Dr.P. SUBBARAYAN:-"(a) The answer is in the negative.

"(b) The question does not arise".

MOHAMMED ABDUL SALAM SAHIB Bahadur:-"Is it not a fact that the party in power now have in their election pledges promised to do this matter?

The Hon.Dr.P. SUBBARAYAN:--"I am afraid the election pledges of the party are not the concern of the member opposite".

SRI R.V. SWAMINATHAN:-"May I request the Government to consider at least the abolition of the death penalty?"

The Hon.Dr.P. SUBBARAYAN:- "Well, Sir, I cannot give a definite answer, but it is a matter for the Government as a whole".

M. MUHAMMAD ISMAIL SAHIB Bahadur:-"Are the Government aware of the strong opinion prevailing in the civilized world that death penalty ought to be done away with as soon as possible?"

The Hon.Dr.P. SUBBARAYAN:-"I am prepared to take this valuable information from the Hon. leader of the Opposition".

Sri D.V. RAMASWAMI:-"Are the Government aware that many of the Congre Governments in India have already taken steps to abolish this death penalty?"

The Hon.Dr.P. SUBBARAYAN:-"I am prepared to take this information

Sri V.C. PALANASWAMI GOUNDAR:-"May I know if the Government have taken the opinion of the High Court Judges in this matter?"

The Hon.Dr.P. SUBBARAYAN:-"As the matter is not yet ripe for consideration and as the matter has not been considered at all, there has been no question of getting the opinion of anybody whatever".

M. MUHAMMAD ISMAIL SAHIB Bahadur:-"Sir, may I know whether the Goverr -ment will enable this Province to have a proud privilege of giving a lead to the world in this matter?"

The Hon.Dr.P. SUBBARAYAN:-"This is a matter which requires deep consideration and proud privileges are not what the Government are thinking of".

MUHAMMAD RAZA KHAN SAHIB Bhadur:-"Is the Hon.Leader of the House aware that the feeling of most of the Members here is that he is more evasive and less communicative while replying to this question in the Assembly?"

The Hon.Dr.P. SUBBARAYAN:-"May I also remind the hon.Member tha it is quite in keeping with the art of parliamentary debate?"

Sri R.V. SWAMINATHAN:-"In view of the reply given to the various supplementary question regarding this subject, are we to take it that the Hon.Minister for Home is eager to retain this death penalty?

The Hon.Dr.P. Subbarayan:-"The hon.Member will come to know by and by what the opinion of myself is in this matter".

Sri S. NAGAPPA:-"May I know whether the Government are able to stop murders in spite of the existence of the death penalty; if not, why not the Government abolish this death penalty?"

The Hon. Dr.P. SUBBARAYAN:-"There are too many conundrums in this question and I have not been able to understand what the hon. Member is driving at.

M. MUHAMMAD ISMAIL SAHIB Bahadur:-"Sir, arising out of the answer given by the Hon. Leader of the House that giving evasive answer is quite in keeping with parliamentary procedure, or that parliamentary procedure requires giving evasive answers, may I ask him whether when Members want definite information in the shape of replies to questions, whether it is in keeping with parliamentary practice or not, is it right and fair on the part of Government to evade those questions?"

The Hon. Dr,P. SUBBARAYAN:-"Sir, the hon. Member is wrong in saying that they are not getting the information; I am giving them as full information as it is possible to give, consistent with the policy of the administration of Government".

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Submitted. Please see the printed proceedings on pages 2-3-ante. No further action is called for. The papers may now be recorded for future reference.

G.O.Ms.No.4541, d/-12-47.
dated 9-12-47.

Criminal Justice - Capital punishment - Abolition of - L.A.Q. - Papers - Recorded.

(True copy)

Sd. x x x
Secretary to Government.

RS/23/11/53

R. Thiagarajan 7-12-47
OFFICE ASSISTANT,
Madras Record Office.

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